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Smith Stalled Probe of Nazi, Ex-Official Says

Attorney General William French Smith tried to prevent a Justice Department investigation of the close ties between U.S. intelligence agencies and Klaus Barbie, the infamous Nazi war criminal, according to the former official who headed the Barbie investigation.

Smith changed his mind only after weeks of growing pressure from the press and members of Congress—and a television network reporter's threat to go on the air with embarrassing questions about the Justice Department's reluctance to look into Barbie's cozy relationship with U.S. intelligence.

The resulting investigation showed that U.S. officials recruited Barbie after World War II and arranged his escape to Bolivia in 1951. Expelled last year, Barbie is in France awaiting trial for "crimes against humanity." He was known as the "Butcher of Lyon," the French city where he ran the Gestapo during the Nazi occupation.

The story of Smith's last-minute decision to authorize the investigation is told in a forthcoming book by Allan Ryan, former director of the Justice Department's Office of Special Investigations. My associate

Lucette Lagnado has seen proofs of the book, "Quiet Neighbors: Prosecuting Nazi War Criminals in America," which will be published this fall by Harcourt Brace Jovanovich.

The attorney general "had decided there would be no investigation," Ryan writes, because Smith didn't believe the case was "important." He describes Smith's attitude this way: "If Congress or the press wanted an investigation, they could do it themselves."

Ryan tells how he learned of Barbie's links to U.S. intelligence on Feb. 11, 1983:

"I called the Pentagon to see the director of Army Counterintelligence about the case. When I arrived in his office, I saw a single file, almost 3 inches thick, with a red cover marked 'Secret.' He pushed it toward me. 'That's the Barbie file,' he said.

"I leafed through the dossier It was thick with postwar memos from one officer to another discussing Klaus Barbie

"The most recent document was dated March 27, 1951. It was a page and a half, signed by two Army intelligence agents, describing how they had escorted Barbie to Genoa, Italy, with false papers under the name 'Altmann' and had arranged his departure to Bolivia

"So the charges were true. Barbie had been an Army intelligence operative after the war"

After reviewing the file, Ryan

sent a memo to Assistant Attorney General D. Lowell Jensen, head of the Criminal Division. Ryan concluded that any prosecution for violation of U.S. law (Barbie had visited the United States twice) probably was barred by the statute's limitations.

"But I recommended that we go forward anyway with a full investigation," Ryan writes. "The evidence of American complicity with Barbie was unmistakable"

Jensen agreed. But two days later he called Ryan to say that Smith had vetoed the investigation. The press was told that Smith "had not announced his decision," Ryan writes, adding, "I did not tell them that in fact he had decided against it."

Ryan said he tried to persuade Smith, through Jensen, that "the reaction against the department will be immediate, widespread and adverse" if Smith's decision stood. No dice.

Then, on March 14, 1983, two weeks after Smith's initial decision, Ryan got a call from a TV correspondent who said he was going on the air in one hour with questions about Smith's refusal to move on the Barbie case.

"I called the attorney general's press secretary to alert him," Ryan writes. "Scarcely half an hour later he called me back. Smith had decided to authorize the investigation."

Footnote: Smith's office had no comment.